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# DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I hereby declare that:

My residence, post office address, and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

## **CRYSTALLINE TNF- $\alpha$ -CONVERTING ENZYME AND USES THEREOF**

the specification of which is attached hereto unless the following box is checked:

☒ was filed on **February 4, 1999** as United States Application Number **09/244,984**.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is known by me to be material to patentability as defined in Title 37, Code of Federal Regulations § 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, § 119(a)-(d) or § 365(b) of any foreign application(s) for patent or inventor's certificate, or § 365(a) of any PCT International application which designated at least one country other than the United States, listed below and have also identified below any foreign application for patent or inventor's certificate, or PCT International application having a filing date before that of the application on which priority is claimed:

### **PRIOR FOREIGN APPLICATION(S)**

NUMBER	COUNTRY	DAY/MONTH/YEAR FILED	PRIORITY CLAIMED

I hereby claim the benefit under Title 35, United States Code § 119(e) of any United States provisional application(s) listed below.

APPLICATION NO.	FILING DATE
<b>60/073,709</b>	<b>February 4, 1998</b>
<b>60/117,476</b>	<b>January 27, 1999</b>

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s), or § 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose information which is known by me to be material to patentability as defined in Title 37, Code of Federal Regulations § 1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application:

APPLICATION SERIAL NO.	FILING DATE	STATUS: PATENTED, PENDING, ABANDONED
<b>09/050,083</b>	<b>March 30, 1998</b>	<b>Pending - Petition to Convert To A Provisional Application Under 37 CFR §1.53(C)(2) filed on January 27, 1999</b>

I hereby appoint as my attorneys, with full powers of substitution and revocation, to prosecute this application and transact all business in the Patent and Trademark Office connected therewith: Stephen A. Bent, Reg. No. 29,768; David A. Blumenthal, Reg. No. 26,257; William T. Ellis, Reg. No. 26,874; John J. Feldhaus, Reg. No. 28,822; Patricia D. Granados, Reg. No. 33,683; John P. Isacson, Reg. No. 33,715; Michael D. Kaminski, Reg. No. 32,904; Kenneth E. Krosin, Reg. No. 25,735; Eugene M. Lee, Reg. No. 32,039; Richard Linn, Reg. No. 25,144; Peter G. Mack, Reg. No. 26,001; Brian J. McNamara, Reg. No. 32,789; Sybil Meloy, Reg. No. 22,749; George E. Quillin, Reg. No. 32,792; Colin G. Sandercock, Reg. No. 31,298; Bernhard D. Saxe, Reg. No. 28,665; Charles F. Schill, Reg. No. 27,590; Richard L. Schwaab, Reg. No. 25,479; Arthur Schwartz, Reg. No. 22,115; Harold C. Wegner, Reg. No. 25,258.

Address all correspondence to **FOLEY & LARDNER**, 3000 K Street, N.W., Suite 500, Washington, DC 20007-5109. Address telephone communications to **John P. Isacson** at (202) 672-5300.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full Name of First or Sole Inventor <b>Roy A. BLACK</b>	Signature of First or Sole Inventor <i>Roy A. Black</i>	Date <b>4/19/99</b>
Residence Address <b>Seattle, Washington</b>	Country of Citizenship <b>U.S.A</b>	
Post Office Address <b>8062 30th Avenue NE, Seattle, Washington 98115</b>		

Full Name of Second Inventor <b>Raymond James PAXTON</b>	Signature of Second Inventor <i>Raymond James Paxton</i>	Date <b>4/19/99</b>
Residence Address <b>Bellevue, Washington</b>	Country of Citizenship <b>U.S.A</b>	
Post Office Address <b>6583 156th Avenue SE, Bellevue, Washington 98006</b>		

Full Name of Third Inventor <b>Wolfram BODE</b>	Signature of Third Inventor	Date
Residence Address <b>Gauting, Germany</b>	Country of Citizenship <b>Germany</b>	
Post Office Address <b>Tulpenstrasse 5, D-82131 Gauting, Germany</b>		

Full Name of Fourth Inventor <b>Klaus MASKOS</b>	Signature of Fourth Inventor	Date
Residence Address <b>Holzkirchen, Germany</b>	Country of Citizenship <b>Germany</b>	
Post Office Address <b>Roggersdorferstrasse 36, D-83607 Holzkirchen, Germany</b>		

Full Name of Fifth Inventor <b>Carlos FERNANDEZ-CATALAN</b>	Signature of Fifth Inventor	Date
Residence Address <b>Martinsried-Planegg, Germany</b>	Country of Citizenship <b>Spain</b>	
Post Office Address <b>Am Klopferspitz 18a, D-82152 Martinsried-Planegg, Germany</b>		

Full Name of Sixth Inventor <i>James Ming CHEN</i>	Signature of Sixth Inventor	Date
Residence Address <i>Bedminster, New Jersey</i>	Country of Citizenship <i>U.S.A.</i>	
Post Office Address <i>7 Sargent David Stoddard Court, Bedminster, New Jersey 07921</i>		

Full Name of Seventh Inventor <i>Jeremy Ian LEVIN</i>	Signature of Seventh Inventor	Date
Residence Address <i>New City, New York</i>	Country of Citizenship <i>U.S.A</i>	
Post Office Address <i>16 Long Meadow Drive, New City, New York 10956</i>		

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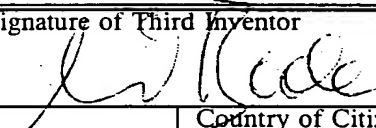
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Post Office Address <b>8062 30th Avenue NE, Seattle, Washington 98115</b>		

Full Name of Second Inventor <b>Raymond James PAXTON</b>	Signature of Second Inventor	Date
Residence Address <b>Bellevue, Washington</b>	Country of Citizenship <b>U.S.A</b>	
Post Office Address <b>6583 156th Avenue SE, Bellevue, Washington 98006</b>		

Full Name of Third Inventor <b>Wolfram BODE</b>	Signature of Third Inventor 	Date <b>3-29-99</b>
Residence Address <b>Gauting, Germany</b>	Country of Citizenship <b>Germany</b>	
Post Office Address <b>Tulpenstrasse 5, D-82131 Gauting, Germany</b>		

Full Name of Fourth Inventor <b>Klaus MASKOS</b>	Signature of Fourth Inventor 	Date <b>3-29-99</b>
Residence Address <b>Holzkirchen, Germany</b>	Country of Citizenship <b>Germany</b>	
Post Office Address <b>Roggersdorferstrasse 36, D-83607 Holzkirchen, Germany</b>		

Full Name of Fifth Inventor <b>Carlos FERNANDEZ-CATALAN</b>	Signature of Fifth Inventor 	Date <b>3-29-99</b>
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Post Office Address <b>Am Klopferspitz 18a, D-82152 Martinsried-Planegg, Germany</b>		

Full Name of Sixth Inventor <i>James Ming CHEN</i>	Signature of Sixth Inventor	Date
Residence Address <i>Bedminster, New Jersey</i>	Country of Citizenship <i>U.S.A.</i>	
Post Office Address <i>7 Sargent David Stoddard Court, Bedminster, New Jersey 07921</i>		

Full Name of Seventh Inventor <i>Jeremy Ian LEVIN</i>	Signature of Seventh Inventor	Date
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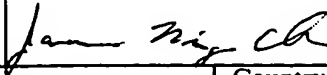
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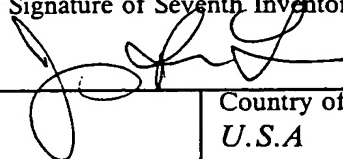
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Residence Address <i>Gauting, Germany</i>	Country of Citizenship <i>Germany</i>	
Post Office Address <i>Tulpenstrasse 5, D-82131 Gauting, Germany</i>		

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Residence Address <i>Holzkirchen, Germany</i>	Country of Citizenship <i>Germany</i>	
Post Office Address <i>Roggersdorferstrasse 36, D-83607 Holzkirchen, Germany</i>		

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Residence Address <i>Martinsried-Planegg, Germany</i>	Country of Citizenship <i>Spain</i>	
Post Office Address <i>Am Klopferspitz 18a, D-82152 Martinsried-Planegg, Germany</i>		

Full Name of Sixth Inventor <i>James Ming CHEN</i>	Signature of Sixth Inventor 	Date <i>3/29/99</i>
Residence Address <i>Bedminister, New Jersey</i>	Country of Citizenship <i>U.S.A.</i>	
Post Office Address <i>7 Sargent David Stoddard Court, Bedminister, New Jersey 07921</i>		

Full Name of Seventh Inventor <i>Jeremy Ian LEVIN</i>	Signature of Seventh Inventor 	Date <i>3/29/99</i>
Residence Address <i>New City, New York</i>	Country of Citizenship <i>U.S.A</i>	
Post Office Address <i>16 Long Meadow Drive, New City, New York 10956</i>		



UNITED STATES DEPARTMENT OF COMMERCE  
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JULY 13, 1999

PTAS

FOLEY & LARDNER  
JOHN P. ISACSON  
3000 K STREET, N.W., SUITE 500  
WASHINGTON, D.C. 20007



\*101032648A\*

UNITED STATES PATENT AND TRADEMARK OFFICE  
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

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PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 04/26/1999

REEL/FRAME: 9933/0382  
NUMBER OF PAGES: 5

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:

BLACK, ROY A.

DOC DATE: 04/19/1999

ASSIGNOR:

PAXTON, RAYMOND JAMES

DOC DATE: 04/19/1999

ASSIGNOR:

BODE, WOLFRAM

DOC DATE: 03/29/1999

ASSIGNOR:

MASKOS, KLAUS

DOC DATE: 03/29/1999

ASSIGNOR:

FERNANDEZ-CATALAN, CARLOS

DOC DATE: 03/29/1999

ASSIGNOR:

CHEN, JAMES MING

DOC DATE: 04/01/1999

ASSIGNOR:

LEVIN, JEREMY IAN

DOC DATE: 04/01/1999

ASSIGNEE:

IMMUNEX CORPORATION  
51 UNIVERSITY STREET  
SEATTLE, WASHINGTON 98101

ASSIGNEE:

MAX-PLANCK-INSTITUTE FOR  
BIOCHEMISTRY  
AM KLOPFERSPITZ 18A  
D-82152 MARTINSRIED-PLANEGB  
FED  
REP GERMANY

ASSIGNEE:

AMERICAN HOME PRODUCTS CORPORATION  
5 GIRALDA FARMS  
MADISON, NEW JERSEY 17940

SERIAL NUMBER: 09244984  
PATENT NUMBER:

FILING DATE: 02/04/1999  
ISSUE DATE:

SHIRLIE SIMON, EXAMINER  
ASSIGNMENT DIVISION  
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U.S. DEPARTMENT OF COMMERCE  
Patent and Trademark Office

OMB No. 0651-0011 (exp. 4/94)

4.2699



101032648

To the Honorable Commissioner of Patents and Trademarks

attached original documents or copy thereof.

1. Name of conveying party(ies):

Roy A. BLACK, Raymond James PAXTON, Wolfram BODE, Klaus MASKOS, Carlos FERNANDEZ-CATALAN, James Ming CHEN, and Jeremy Ian LEVIN

2. Name and address of receiving party(ies):

Name: IMMUNEX CORPORATION

Internal Address:

Street Address: 51 University Street

City: Seattle, State: Washington ZIP: 98101

Additional name(s) of conveying party(ies) attached? No

3. Nature of conveyance:

☒ Assignment  
☐ Security Agreement  
☐ Other

☐ Merger  
☐ Change of Name

Execution Date: 3/29/99, 4/1/99 & 4/19/99

Additional name(s) & address(es) attached? Yes

4. Application number(s) or patent number(s):

If this document is being filed together with a new application, the execution date of the application is: N/A

A. Patent Application No.(s)

09/244,984

B. Patent No.(s)

Additional numbers attached? No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: FOLEY & LARDNER

Internal Address: John P. Isacson

Street Address: 3000 K Street, N.W., Suite 500

City: Washington, State: D.C. ZIP: 20007

6. Total number of applications and patents involved: 1

7. Total fee (37 C.F.R. § 3.41). . . . . \$40.00

☒ Enclosed

Authorized to be charged to deposit account

8. Deposit account number: 19-0741

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9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

John P. Isacson

Name of Person Signing

John P. Isacson  
Signature

April 26, 1999

Date

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Name: MAX-PLANCK-INSTITUTE FOR BIOCHEMISTRY

Internal Address:

Street Address: Am Klopferspitz 18a

City: D-82152 Martinsried-Planegg

Country: GERMANY



Name and address of receiving party(ies):

Name: AMERICAN HOME PRODUCTS CORPORATION

Internal Address:

Street Address: 5 Giralda Farms

City: Madison

State: New Jersey

ZIP: 17940

# ASSIGNMENT - WORLDWIDE

For good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, each undersigned inventor has sold and assigned, and by these presents hereby sells and assigns, unto

IMMUNEX CORPORATION  
51 University Street  
Seattle, Washington 98101

its successors and assigns, the entire right, title and interest, so far as concerns the United States and the Territories and Possessions thereof and all foreign countries in and to the invention in

## CRYSTALLINE TNF- $\alpha$ -CONVERTING ENZYME AND USES THEREOF

as set forth in this United States Patent Application

- ☐ executed concurrently herewith  
☐ executed on \_\_\_\_\_  
☒ Serial No. 09/244,984 filed February 4, 1999



said application for United States Letters Patent, including all divisional, renewal, substitute, continuation and Convention applications based in whole or in part upon said inventions or upon said applications, and any and all Letters Patent and reissues and extensions of Letters Patent granted for said inventions or upon said applications and every priority right that is or may be predicated upon or arise from said inventions, said applications, and said Letters Patent; said Assignee being hereby authorized to file patent applications in any or all countries on any or all said inventions in the name of the undersigned or in the name of said Assignee or otherwise as said Assignee may deem advisable, under the International Convention or otherwise; the Commissioner of Patents and Trademarks of the United States of America being hereby authorized to issue or transfer all said Letters Patent to said Assignee in accordance herewith; this assignment being under covenant, not only that full power to make the same is had by the undersigned, but also that such assigned right is not encumbered by any grant, license, or other right theretofore given, and that the undersigned will do all acts reasonably serving to ensure that the said inventions, patent applications and Letters Patent shall be held and enjoyed by said Assignee as fully and entirely as the same could have been held and enjoyed by the undersigned if this assignment had not been made, and particularly to execute and deliver to said Assignee all lawful documents including petitions, specifications, oaths, assignments, invention disclaimers, and lawful affidavits in form and substance which may be requested by said Assignee, to furnish said Assignee with all facts relating to said inventions or the history thereof and any and all documents, photographs, models, samples or other physical exhibits which may be of said inventions, and to testify in any proceedings relating to said inventions, patent applications and Letters Patent.

The undersigned hereby grant the firm of FOLEY & LARDNER the power to insert in this Assignment any further identification which may be necessary or desirable to comply with the rules of the U.S. Patent and Trademark Office for recordation of this Assignment.

NAMES AND SIGNATURES OF INVENTORS		
Name: Roy A. BLACK	Signature: <i>Roy A. Black</i>	Date: 4/17/99
Name: Raymond James PAXTON	Signature: <i>Raymond James Paxton</i>	Date: 4/19/99
NAMES AND SIGNATURES OF WITNESSES		
Name:	Signature:	Date:
Name: RAYMOND GOODWIN	Signature: <i>Raymond Goodwin</i>	Date: 4/19/99

Note: Prima facie evidence of execution may optionally be obtained by execution of this document before a U.S. Consul or before a local officer authorized to administer oaths whose authority is proved by a certificate from a U.S. Consul.

# ASSIGNMENT - WORLDWIDE

For good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, each undersigned inventor has sold and assigned, and by these presents hereby sells and assigns, unto

MAX-PLANCK-INSTITUTE FOR BIOCHEMISTRY  
Am Klopferspitz 18a  
D-82152 Martinsried-Planegg  
Germany

its successors and assigns, the entire right, title and interest, so far as concerns the United States and the Territories and Possessions thereof and all foreign countries in and to the invention in

## CRYSTALLINE TNF- $\alpha$ -CONVERTING ENZYME AND USES THEREOF

as set forth in this United States Patent Application

- ☐ executed concurrently herewith  
☐ executed on \_\_\_\_\_  
☒ Serial No. 09/244,984 filed February 4, 1999



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NAMES AND SIGNATURES OF INVENTORS		
Name: Wolfram BODE	Signature: <i>Wolfram Bode</i>	Date: 3-29-99
Name: Klaus MASKOS	Signature: <i>Klaus Maskos</i>	Date: 3-29-99
Name: Carlos FERNANDEZ-CATALAN	Signature: <i>Carlos Fernandez</i>	Date: 3-29-99
NAMES AND SIGNATURES OF WITNESSES		
Name:	Signature:	Date:
Name:	Signature:	Date:
Name:	Signature:	Date:

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# ASSIGNMENT - WORLDWIDE

For good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, each undersigned inventor has sold and assigned, and by these presents hereby sells and assigns, unto

## AMERICAN HOME PRODUCTS CORPORATION

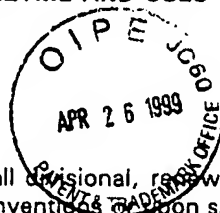
5 Giralda Farms  
Madison, New Jersey 17940

its successors and assigns, the entire right, title and interest, so far as concerns the United States and the Territories and Possessions thereof and all foreign countries in and to the invention in

### CRYSTALLINE TNF- $\alpha$ -CONVERTING ENZYME AND USES THEREOF

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NAMES AND SIGNATURES OF INVENTORS		
Name: James Ming CHEN	Signature:	Date: 4/1/99
Name: Jeremy Ian LEVIN	Signature:	Date: 4/1/99

SUBSCRIBED AND SWORN TO BEFORE ME this 12<sup>th</sup> day of April, 1999.

**DANIEL B. MORAN**  
Notary Public, State of New York  
No. 01MO4944023  
Qualified in Rockland County  
Commission Expires Nov. 14, 2000

NOTARY PUBLIC  
Print or Type Name: Daniel B. Moran  
My Commission Expires: Nov 14, 2000

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# Delaware

PAGE 1

## *The First State*

I, HARRIET SMITH WINDSOR, SECRETARY OF STATE OF THE STATE OF DELAWARE, DO HEREBY CERTIFY THAT THE SAID "AMERICAN HOME PRODUCTS CORPORATION", FILED A CERTIFICATE OF OWNERSHIP, CHANGING ITS NAME TO "WYETH", THE TWENTY-SECOND DAY OF JANUARY, A.D. 2002, AT 10 O'CLOCK A.M.

AND I DO HEREBY FURTHER CERTIFY THAT THE EFFECTIVE DATE OF THE AFORESAID CERTIFICATE OF OWNERSHIP IS THE ELEVENTH DAY OF MARCH, A.D. 2002.



*Harriet Smith Windsor*  
Harriet Smith Windsor, Secretary of State

0196024 8320

AUTHENTICATION: 2335013

030205257

DATE: 03-27-03

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Roy A. BLACK et al.  
Title: CRYSTALLINE TNF- $\alpha$ -CONVERTING ENZYME AND USES THEREOF  
Appl. Filing Date: February 24, 2004  
Prior Appl. No.: 09/244,984  
Prior Appl. Filing Date: February 4, 1999  
Examiner: Unassigned  
Art Unit: Unassigned

**ASSOCIATE POWER OF ATTORNEY**

Commissioner for Patents  
PO Box 1450  
Alexandria, Virginia 22313-1450

Sir:

The undersigned attorney of record hereby grants the following attorney an associate power to prosecute the above-identified application and transact all business in the Patent and Trademark Office connected therewith:

R. Brian McCaslin, Reg. No. 48,571

All correspondence should continue to be sent to the undersigned.

Respectfully submitted,

Date 24 February 2004

By S. A. Bent

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CUSTOMER NUMBER

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Stephen A. Bent  
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